

83 - 1574

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ALEXANDER L. STEVAS,
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NO. _____

IN THE
Supreme Court of the United States
OCTOBER TERM, 1984

CITY OF PERRYTON,
Petitioner

v.

DONALD W. JACKS and wife,
BONNIE JACKS,
Respondents

SUPPLEMENTAL APPENDIX TO
PETITION FOR WRIT OF CERTIORARI
From The United States Court of Appeals
For The Fifth Circuit

LEMON, CLOSE, SHEARER,
EHRlich & BROWN
ROBERT D. LEMON
OTIS C. SHEARER
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Attorneys for Petitioner

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

NO. CA 280-76

DONALD W. JACKS and BONNIE JACKS,
Plaintiffs,

vs.

THE CITY OF PERRYTON, TEXAS and
THE FIRST NATIONAL BANK OF PERRYTON,
Perryton, Texas,
Defendants.

(Filed November 29, 1982)

JUDGMENT

This action came on for trial before the Court and a jury, Honorable Mary Lou Robinson, District Judge, presiding. The issues having been duly tried and the jury having duly rendered its verdict,

IT IS ORDERED AND ADJUDGED that Plaintiffs DONALD JACKS and BONNIE JACKS take nothing from Defendant THE FIRST NATIONAL BANK OF PERRYTON, Perryton, Texas;

It further appearing that MID CONTINENT CASUALTY COMPANY is subrogated by law to a part of the cause of action of DONALD JACKS and is entitled to recovery as hereinafter ordered;

IT IS ORDERED AND ADJUDGED that Plaintiff DONALD JACKS recover of Defendant THE CITY OF PERRYTON, TEXAS, the sum of Seven Hundred Thirty-Six Thousand Five Hundred and No/100ths Dollars (\$736,500.00);

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff BONNIE JACKS recover of Defendant THE CITY OF PERRYTON, TEXAS, the sum of Thirty-Eight Thousand Six Hundred and No/100ths Dollars (\$38,600.00);

IT IS FURTHER ORDERED AND ADJUDGED that MID CONTINENT CASUALTY COMPANY shall recover of Defendant THE CITY OF PERRYTON, TEXAS, the sum of One Hundred Twenty Thousand and No/100ths Dollars (\$120,000.00);

IT IS FURTHER ORDERED AND ADJUDGED that all such sums shall bear interest thereon at the rate of 9.07% per annum as provided by law, and that costs of this action shall be paid by Defendant THE CITY OF PERRYTON, TEXAS.

DATED at Amarillo, Texas, this 29th day of November, 1982.

/s/ MARY LOU ROBINSON
Judge Presiding

APPROVED:

/s/ ROBERT L. TEMPLETON
Robert L. Templeton
Attorney for Plaintiffs

/s/ ROBERT L. TEMPLETON
Robert L. Templeton
Attorney for Mid Continent Casualty Co.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Supplemental Appendix to the Petition for Writ of Certiorari was mailed on this day to the attorney of record for Respondents Donald W. Jacks and wife, Bonnie Jacks, Robert L. Templeton, Templeton & Garner, P. O. Box 12075, Amarillo, Texas 79101.

DATED the _____ day of March, 1984.

OTIS C. SHEARER